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FEB 13 2024

CLERK U.S. BANKRUPTCY COURT
Central District of California
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION**

In re:

Leslie Klein

Debtor.

Case No.: 2:23-bk-10990-SK

CHAPTER 11

**ORDER REQUIRING LESLIE KLEIN AND
ERIC J. OLSON TO APPEAR IN PERSON
DURING 2/14/24 HEARINGS**

Date: 2/14/24
Time: 9:00 a.m.
Crtrm: 1575
255 E. Temple St.
Los Angeles, CA 90012

On 12/19/23, David Berger (Berger) filed a “Motion for Default Judgment . . .” in Berger v. Klein (Berger AP), #23-01169, which is set for hearing on 2/14/24 at 9:00 a.m. Berger AP Docket #s 48, 49.

1 On 1/10/24, Robert and Esther Mermelstein (Mermelsteins) filed a “Motion for
2 Default Judgment . . .” in Mermelstein v. Klein (Mermelstein AP), #23-01153, which is
3 set for hearing on 2/14/24 at 9:00 a.m. Mermelstein AP Docket #s 46, 47.

4 On 1/2/24, Leslie Klein (Klein) filed an answer pro se in the Berger AP and on
5 1/12/24, Klein filed an answer pro se in the Mermelstein AP. Berger AP Docket #50;
6 Mermelstein AP Docket #48.

7 On 1/30/24, Eric J. Olson (Olson) signed and filed in the bankruptcy case an
8 “Attorney’s Disclosure of Postpetition Compensation Arrangement with Debtor”
9 (Disclosure). BK Docket #629. The Disclosure highlights that Olson “counseled [Klein]
10 on a non[]expert basis and ghostwrote various documents for Debtor at his request.” Id.
11 at 2.

12 On 2/5/24, in the Berger AP and the Mermelstein AP, Klein filed a “Declaration of
13 Eric J. Olson in Response to Plaintiff’s Motion for Default Judgment, which attached
14 virtually identical “Declaration[s] of Eric J. Olson . . .” (collectively, Declarations). Berger
15 AP Docket #51; Mermelstein AP Docket #49. The Clerk of Court issued a Notice to
16 Filer in each case, indicating that Klein’s signature was unreadable and there was no
17 proof of service. Berger AP Docket #52; Mermelstein AP Docket #50. On 2/12/24,
18 Klein refiled the Declarations. Berger AP Docket #54; Mermelstein AP Docket # 52.

19 The Declarations, which Olson signed under penalty of perjury, provide the
20 following:

21 I appeared on behalf of Leslie Klein while he engaged a bankruptcy
22 lawyer, but I was substituted out in favor of the bankruptcy lawyer. Subsequently
23 I have, without appearing, consulted with Mr. Klein and drafted documents for
24 him in pro se.

25 . . .

26 Mr. Klein contacted us on or about November 28, 2023, to draft answers
27 for him. On or about November 28, 2023, I asked my assistant to check the
28

dockets and he reported that such Plaintiffs had already requested entry of default. I sent the attorney a letter on November 29, 2023.

...


I was informed that there was a status conference on or about December 20, 2023 where Mr. Klein was instructed to present his grounds for being permitted to file answers and set aside the defaults at hearings scheduled [on] 2/14/24.

Subsequently in each case the Plaintiff(s) filed amendments to their claims and I revised the draft answers . . . for Mr. Klein and had my assistant present them for filing on his behalf. Such Answers were filed and conformed copies are attached . . . I have not heard directly or indirectly from the attorney for Plaintiffs about them.

Berger AP Docket #s 51, 54 (Olson 2/2/24 Decl. ¶¶ 1, 6, 8, 9); Mermelstein AP Docket #s 49, 52 (Olson 2/2/24 Decl. ¶¶ 1, 6, 8, 9).

IT IS HEREBY ORDERED that Leslie Klein and Eric J. Olson appear in person in Courtroom 1575 on 2/14/24 at 9:00 a.m.

Date: February 13, 2024


Sandra R. Klein
United States Bankruptcy Judge